

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**KENNETH T. RICHEY,**

*Petitioner,*

Case Number: 1:98 CV 1418

v.

Civil Action

**BETTY MITCHELL, Warden,**

JUDGE GAUGHAN

*Respondent.*

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**Respondent's Motion to Vacate Conditional Writ of Habeas Corpus**

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In light of the United States Supreme Court's order recalling and staying the mandate in this case, Respondent respectfully requests the Court to vacate its conditional writ of habeas corpus. A memorandum in support follows.

Respectfully Submitted,

JIM PETRO  
Attorney General

s/ Michael L. Collyer  
MICHAEL L. COLLYER (0061719)  
DANIEL R. RANKE (0047136)  
Assistant Attorneys General  
615 W. Superior Ave., 11th Floor  
Cleveland, Ohio 44113  
(216) 787-3030  
(216) 787-3480 (fax)

unopposed and granted.  
/s/ Patricia A. Gaughan  
8/16/05